

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Nicholas Boom,

Case No.: 10cv3581 (JNE/SER)

Plaintiff,

v.

REPORT & RECOMMENDATION

SRS & Associates, Inc.

Defendant.

Plaintiff Nicholas Boom, filed a Complaint alleging defendant SRS & Associates, Inc. violated the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 (“FDCPA”) and Defendant’s Invasion of Plaintiff’s Privacy [Doc. No. 1].

Defendant did not respond to the Complaint. On November 10, 2010 a Clerk’s Entry of Default was issued [Doc. No. 7]. On January 12, 2012 the Court issued an Order instructing the Plaintiff to file a motion for entry of default judgment and to contact Judge Ericksen’s chambers for a hearing date for the motion. Plaintiff failed to respond to the Court’s Order within the 30 day deadline.

Based on the foregoing, and all the files, records, and proceedings herein, **IT IS HEREBY RECOMMENDED** that this action be **DISMISSED WITHOUT PREJUDICE**.

Dated: March 2, 2012

s/Steven E. Rau
Steven E. Rau
U.S. Magistrate Judge

Under D. Minn. LR 72.2(b), any party may object to this Report and Recommendation by filing with the Clerk of Court, and serving all parties by **March 16, 2012**, a writing which specifically identifies those portions of this Report to which objections are made and the basis of those objections. Failure to comply with this procedure may operate as a forfeiture of the objecting party's right to seek review in the Court of Appeals. A party may respond to the objecting party's brief within ten days after service thereof. A judge shall make a de novo determination of those portions to which objection is made. This Report and Recommendation does not constitute an order or judgment of the District Court, and it is therefore not appealable to the Court of Appeals.